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**SCULLY, SCOTT, MURPHY
& PRESSER****Fax**

To: Examiner: Annan Q. Shang
Group Art Unit: 2617
Confirmation No.: 9980

From: John S. Sensny, Esq.

Fax: ~~703-872-9396~~ 571 273 8300 **Pages:** 7 (Including fax cover sheet)

Phone: **Date:** February 14, 20065

Re: Louis P. Herzberg, et al.
US Serial No. 09/590,203
Docket No.: YOR920000348US1 (13668)

CC:

LETTER TO EXAMINER

Transmitted herewith are the following:

1. General Transmittal Letter (in duplicate);
2. Letter to Examiner;
3. Certificate of Transmission By Facsimile, dated February 14, 2006 (in duplicate).

FOR:

Louis P. Herzberg, et al.
US Serial No. 09/590,203
Filing Date: June 8, 2000
Docket No.: YOR920000348US1 (13668)

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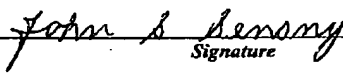
FEB 14 2006

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.	
Applicant(s): Louis P. Herzberg, et al.			YOR920000348US1 (13668)	
Application No. 09/590,203	Filing Date June 8, 2000	Examiner Annan Q. Shang	Group Art Unit 2617	
Invention: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING				
CONFIRMATION NO. 9980				
<p>I hereby certify that this <u>LETTER TO EXAMINER</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>) on <u>February 14, 2006</u> (Date)</p> <p><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate)</p> <p><u>John S. Sensny</u> (Signature)</p>				
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P18/REV02

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FEB 14 2006

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. YOR920000348US1 (13668)	
In Re Application Of: Louis P. Herzberg, et al.					
Application No. 09/590,203	Filing Date June 8, 2000	Examiner Annan Q. Shang	Customer No. 23389	Group Art Unit 2617	Confirmation No. 9980
Title: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING					
<u>COMMISSIONER FOR PATENTS:</u>					
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in the above identified application.					
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<input type="checkbox"/> A check in the amount of _____ is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-0510/IBM as described below.					
<input type="checkbox"/> Charge the amount of _____					
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<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: February 14, 2006		
John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343					
cc: JSS:jy					
<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p style="text-align: center;">(Date)</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>					

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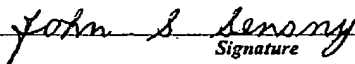
P16A/REV03

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. YOR920000348US1 (13668)	
Applicant(s): Louis P. Herzberg, et al.				
Application No. 09/590,203	Filing Date June 8, 2000	Examiner Annan Q. Shang	Group Art Unit 2617	
Invention: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING				
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P18/REV02

FEB 14 2006

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. YOR920000348US1 (13668)	
In Re Application Of: Louis P. Herzberg, et al.					
Application No. 09/590,203	Filing Date June 8, 2000	Examiner Annan Q. Shang	Customer No. 23389	Group Art Unit 2617	Confirmation No. 9980
Title: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: LETTER TO EXAMINER					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-0510/IBM as described below. <input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: February 14, 2006		
John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>		
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Applicant(s): Louis P. Herzberg, et al. **Examiner:** Annan Q. Shang
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Filed: June 8, 2000 **Docket:** YOR920000348US1 (13668)
For: VIDEO ON DEMAND CONFIGURING, **Dated:** February 14, 2006
CONTROLLING AND MAINTAINING

Confirmation No: 9980

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

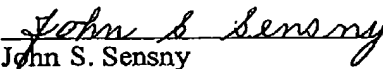
Dear Sir:

The undersigned attorney wishes to thank Examiner Shang for the courtesy of a telephone conference on February 13, 2006. During the conference, the Examiner noted that the Office Action of December 19, 2005 did not treat Claims 35 and 36. Furthermore, the Examiner indicated that he will issue a Supplemental Office Action treating Claims 35 and 36 and will reset the period for responding to the earlier Office Action.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: February 14, 2006


John S. Sensny

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If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is respectfully requested to telephone the undersigned.

Respectfully submitted,

John S. Sensny
John S. Sensny
Registration No. 28,757
Attorney for Applicants

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